

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IRA B. HARRIS,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:25-cv-00518-JAR
)	
CHRISTOPHER BREWER,)	
)	
Respondent.)	

MEMORANDUM AND ORDER OF TRANSFER

Petitioner, an inmate at the Potosi Correctional Center (PCC), has responded to this Court's June 4, 2025 Memorandum and Order by filing an amended Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus. In the amended Petition, Petitioner states he challenges the judgment of conviction entered in the Callaway County Circuit Court. *See* (ECF No. 10).

The Callaway County Circuit Court is located in the Western District of Missouri. 28 U.S.C. § 105(b)(4). The PCC is located in the Eastern District of Missouri. 28 U.S.C. § 105(a)(1). Pursuant to 28 U.S.C. § 2241(d), the district courts for the Eastern District of Missouri and the Western District of Missouri have concurrent jurisdiction to hear this case. In this circumstance, the district court in which the petition was originally filed may, in the exercise of its discretion and in the furtherance of justice, transfer the case to the other district for hearing and determination. *Id.* Additionally, 28 U.S.C. § 1404(a) provides that a district court, for the convenience of the parties and witnesses and in the interest of justice, may transfer any civil action to any other district or division where it might have been brought.

Transfer of this action is appropriate because Petitioner's constitutional claims are based upon a conviction entered in a circuit court located within the Western District of Missouri, the

relevant records are located there, and if hearings are required, the Western District of Missouri would be more convenient for witnesses. Additionally, the Court has entered an administrative order stating that, absent any unusual circumstances, a habeas petition challenging a conviction or sentence arising from a proceeding in the Western District of Missouri should be transferred to that district. *In re Business of the Court*, January 27, 1986. For the foregoing reasons, the Court will order this case transferred to the United States District Court for the Western District of Missouri.

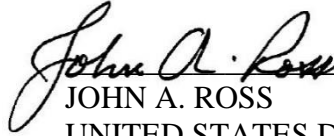
Shortly before filing the amended Petition, Petitioner filed a motion seeking additional time to comply with this Court's June 4, 2025 Memorandum and Order to pay the filing fee or file a motion for leave to proceed in forma pauperis. (ECF No. 9). After filing the amended Petition, Petitioner filed three additional motions: a motion again seeking the appointment of counsel and/or guardian ad litem, (ECF No. 11); a "Motion for Order of Protection / and to Appoint Counsel," (ECF No. 12); and a "Motion to Clarify Filing of Petition on Amend." (ECF No. 13). Because this case will be transferred, the Court will direct the Clerk to administratively terminate those motions in this Court.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall transfer this case to the United States District Court for the Western District of Missouri.

IT IS FURTHER ORDERED that the Clerk shall administratively terminate Petitioner's motion for additional time, (ECF No. 9); Petitioner's motion seeking the appointment of counsel and/or guardian ad litem, (ECF No. 11); Petitioner's "Motion for Order of Protection / and to Appoint Counsel," (ECF No. 12); and Petitioner's "Motion to Clarify Filing of Petition on Amend." (ECF No. 13).

Dated this 22nd day of July, 2025.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE